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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number

10/562,648

Filing Date

December 27, 2005

First Named Inventor

Mark A. Rydell

Art Unit

3738

Examiner Name

Unknown

Attorney Docket Number

32355.12.8.1.1

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☒

Reply to Missing Parts/  
Incomplete Application

☒

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☒

Power of Attorney, Revocation  
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

See the attached additional enclosures

#### Remarks

The Commissioner is hereby authorized to charge payment of any additional fees under or credit any overpayment to Deposit Account No. 06-1910.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Customer No. 022859, Fredrikson & Byron, P.A.

Signature

Printed name

Matthew J. S. Graham

Date

April 28, 2006

Reg. No.

54,647

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Stacy Bickel

Date

April 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>TRANSMITTAL FORM (PTO/SB/21)</b>  <b>ADDITIONAL ENCLOSURES</b>	Application Number	10/562,648
	Filing Date	December 27, 2005
	First Named Inventor	Mark A. Rydell
	Art Unit	3738
	Examiner Name	Unknown
	Attorney Docket Number	32355.12.8.1.1

Response to Missing Parts.

Copy of Notification of Missing Parts.

Declaration.

Statement Under 37 CFR 3.73(b).

Assignment with Coversheet.

Check for \$40 to cover the recordal fee.

Return Receipt Postcard.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

RYDELL et al.

Serial No.: 10/562,648

Filed: December 27, 2005

For: SYSTEM AND METHOD FOR  
ANKLE ARTHROPLASTY

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

)  
) Our Ref. 32355.12.8.1.1

)  
) Art Unit: 3738

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Trademark Office

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Office

on this 28<sup>th</sup> day of April, 2006

By Stacy Bickel

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

This submission is filed in response to Notification of Missing Requirements Under 35 U.S.C. 371, mailed April 5, 2006, submitted herewith are:

- 1) A copy of the Notification of Missing Requirements;
- 2) Executed Declaration for Patent Application;
- 3) Power of Attorney to Prosecute Applications Before the USPTO; and
- 4) Statement Under 37 CFR 3.73(b) with copy of Assignment;

In light of the above, it is believed that the applicants have complied with all of the requirements set forth in the Notification of Missing Requirements Under 35 U.S.C. 371, mailed April 5, 2006.

Serial No.: 10/562,648

If any further information is needed to process the present application, the undersigned would welcome a telephone call at the number listed below.

Respectfully submitted,

Dated: April 28, 2006



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Minneapolis, MN 55402-1425  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/562,648	FIRST NAMED APPLICANT Mark A. Rydell	ATTY. DOCKET NO. 32355.12.8.1.1
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22859  
INTELLECTUAL PROPERTY GROUP  
FREDRIKSON & BYRON, P.A.  
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RECEIVED

APR 10 2006

INTERNATIONAL APPLICATION NO.

PCT/US04/20456

LA. FILING DATE

06/05/2004

PRIORITY DATE

06/27/2003

CONFIRMATION NO. 8434

371 FORMALITIES LETTER



\*OC00000018454322\*

Intellectual Property  
Department

Date Mailed: 04/05/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/27/2005
- Copy of the International Search Report filed on 12/27/2005
- Preliminary Amendments filed on 12/27/2005
- Information Disclosure Statements filed on 12/27/2005
- Oath or Declaration filed on 12/27/2005
- Request for Immediate Examination filed on 12/27/2005
- U.S. Basic National Fees filed on 12/27/2005
- Priority Documents filed on 12/27/2005

Response due: 6/5/06

Docketed: 4/10/06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,648	PCT/US04/20456	32355.12.8.1.1

FORM PCT/DO/EO/905 (371 Formalities Notice)